

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CISCO SYSTEMS, INC., et al.,

Plaintiffs,

v.

DEXON COMPUTER, INC., et al.,

Defendants.

Case No. [20-cv-04926-CRB](#)

**ORDER REQUESTING
ADDITIONAL BRIEFING**

Defendant Dexon Computer, Inc. (“Dexon”) recently filed a notice of appeal of this Court’s preliminary injunction order. See Dkt. 309. Filing an appeal “confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal.” Mayweathers v. Newland, 258 F.3d 930, 935 (9th Cir. 2001) (citation omitted); Nat. Res. Def. Council, Inc. v. Sw. Marine Inc., 242 F.3d 1163, 1166 (9th Cir. 2001).

There is significant overlap between the parties’ arguments underlying the preliminary injunction order and the parties’ arguments regarding the motion to dismiss. Therefore, the Court requests supplemental briefing from the parties as to whether this Court retains jurisdiction to adjudicate Dexon’s motion to dismiss (dkt. 270), while the Ninth Circuit considers Dexon’s appeal of this Court’s preliminary injunction order. Supplemental briefs should be filed on or before November 9, 2023.

IT IS SO ORDERED.

Dated: October 18, 2023

CHARLES R. BREYER
United States District Judge